

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

CALIFORNIA COALITION FOR WOMEN PRISONERS; R.B.; A.H.R.; S.L.; J.L.; J.M.; G.M.; A.S.; and L.T., individuals on behalf of themselves and all others similarly situated,

## Plaintiffs

V.

UNITED STATES OF AMERICA FEDERAL  
BUREAU OF PRISONS, a governmental entity;  
BUREAU OF PRISONS DIRECTOR  
COLETTE PETERS, in her official capacity;  
FCI DUBLIN WARDEN THAHESHA JUSINO,  
in her official capacity; OFFICER  
BELLHOUSE, in his individual capacity;  
OFFICER GACAD, in his individual capacity;  
OFFICER JONES, in his individual capacity;  
LIEUTENANT JONES, in her individual  
capacity; OFFICER LEWIS, in his individual  
capacity; OFFICER NUNLEY, in his individual  
capacity, OFFICER POOL, in his individual  
capacity, LIEUTENANT PUTNAM, in his  
individual capacity; OFFICER SERRANO, in  
his individual capacity; OFFICER SHIRLEY, in  
his individual capacity; OFFICER SMITH, in his  
individual capacity; and OFFICER VASQUEZ,  
in her individual capacity.

#### **Defendants.**

I, Patrick Deveney, hereby declare as follows:

1. I am currently the Associate Warden and Prison Rape Elimination Act (PREA) Compliance Manager for the United States Department of Justice (USDOJ) Federal Bureau of Prisons (BOP), Federal Correctional Institution (FCI) at Dublin, CA. I assumed these positions in July 2022. Prior to assuming these positions, I served as Associate Warden, Federal Detention Center, SeaTac, WA; Program Review Management Analyst, Central Office, Washington D.C.; Acting Chief, American Correctional Association (ACA)/PREA Audit Section, External Auditing Branch, Program Review Division, Central Office, Washington, D.C.; Unit Manager, Federal Medical Center, Devens, MA; Case Manager, FCI Berlin, NH; Acting Camp Administrator, FCI Berlin, NH; and Correctional Officer, FCI Fort Dix, NJ. I started my career in the BOP in 2011.

**DECLARATION OF PATRICK DEVENY**

4-23-CV-04155-YGR

- 1       2. As PREA Compliance Manager, I maintain responsibility for the Sexually Abusive Behavior  
2       Prevention and Intervention Program. I provide supervisory oversight to ensure the coordination  
3       of institution departments in prevention, detection, intervention, and response, as specified in this  
4       Program Statement. I work with Supervisory staff that serve as PREA points of contact in key  
5       departments including Correctional Services, Psychology Services, and Health Services, to assist  
6       me with the implementation of PREA policy.
- 7       3. As Associate Warden, I also supervise Computer Service, Employee Development, Facilities,  
8       Financial Management, Food Service, Health Services, Human Resources, Labor Management  
9       Relations, Safety, and Trust Fund. I routinely interact with both staff and inmates daily, and  
10      personally monitor various areas and operations throughout FCI Dublin. I serve on the  
11      Executive Team and provide input to the Warden on various institutional matters. I also serve as  
12      the Acting Warden when the Warden is on leave.
- 13      4. On January 31, 2024, in my capacity as PREA Compliance Manager, I received notification of a  
14      new PREA allegation against staff from inmate C.B., Reg. No. [REDACTED]. I initiated PREA  
15      protocols. While protocols were ongoing, I received verbal notification that inmate C.B. may  
16      have been coached into filing a false PREA allegation against staff by inmate R.F., Reg. No.  
17      [REDACTED], to help secure Compassionate Release from BOP.
- 18      5. C.B.'s request for release stated, among other things, "1) I am a victim of sexual abuse by an  
19      officer that has been indicted, 2) I am suffering with breathing problems due to the mold/asbestos  
20      in the housing units, [and] 3) several laws have changed that I believe would allow me to have a  
21      reduced sentence."
- 22      6. On January 31, 2024, I read a BOP memorandum from staff psychology, indicating that R.F. told  
23      C.B. that she had a PREA allegation to report that C.B. "did not know" was PREA. Since  
24      B [REDACTED]'s statement included verbatim recollection of a PREA allegation with nearly identical  
25      English language employed by R.F. from three years prior, I questioned the validity of the PREA  
26      allegation.
- 27      7. I knew that C.B. was familiar with what might constitute a sexual allegation because she was  
28      convicted of sex trafficking by force, fraud, or coercion. Additionally, C.B. speaks and writes in

1 broken English, which I knew from having communicated with and received prior emails from  
2 her.

- 3 8. I knew that R.F. previously received \$1,000 on at least one occasion from an inmate to assist her  
4 with legal paperwork.
- 5 9. I had previously received unconfirmed reports that inmate R.F. has filed mold/asbestos claims at  
6 every facility for which BOP designated her during her term of incarceration.
- 7 10. BOP received additional documentation that inmate R.F. had intimidated/harassed other inmates  
8 that testified on behalf of FCI Dublin in the January 2024 Evidentiary Hearing.
- 9 11. This information, coupled with inmate R.F.'s underlying thirty-year criminal conviction for  
10 Conspiracy to Commit Healthcare Fraud; Wire Fraud; & Heath Care Fraud Aiding and Abetting,  
11 led me to recommend an SIS investigation.
- 12 12. SIS staff are trained in conducting investigations to obtain facts and annotate recommendations  
13 for management of individuals in BOP Custody. SHU placement is recommended until SIS staff  
14 determine how best to manage individuals under SIS investigation who threaten the orderly  
15 running of an institution. The SIS investigation into R.F. would inform whether R.F. had  
16 coached this inmate into filing a false allegation against staff and the agency or, conversely, that  
17 she did not assist this individual in filing a false allegation, and how best to manage her at FCI  
18 Dublin.
- 19 13. As a result of the report that inmate R.F. had possibly coached this inmate to file a false PREA  
20 allegation against staff, I notified the Warden on January 31, 2024, of events concerning this  
21 PREA allegation.
- 22 14. In a meeting between the Warden, Acting Associate Warden of Programs, Legal and myself,  
23 staff collectively determined an investigation into inmate R.F.'s involvement in assisting inmates  
24 to file false PREA allegations was warranted to ensure the safety, security, and orderly running  
25 of the institution. Pending the outcome of an SIS investigation, BOP staff placed inmate R.F.  
26 into SHU. R.F.'s placement in SHU was not directed by Lt. Baudizzon nor anyone in the SIS  
27 department.
- 28

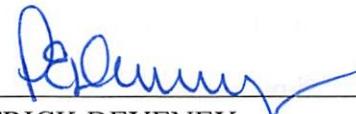
- 1 15. When BOP staff placed inmate R.F. in SHU on January 31, 2024, she immediately announced a  
2 Hunger Strike and elected to act uncooperatively toward staff that attempted to meet her needs.  
3 Within 48 hours of inmate R.F.'s placement in SHU, nine other inmates followed R.F.'s lead and  
4 elected to begin Hunger Strikes creating greater concerns for the wellbeing of the individuals in  
5 our custody and care.
- 6 16. Based on the number of inmates on hunger strike in SHU, BOP staff determined to open an  
7 additional investigation to uncover whether inmate R.F. had started to orchestrate a Group  
8 Demonstration with other inmates in SHU to remain on Hunger Strike. The SIS investigation  
9 would assist us in obtaining the facts to determine what was occurring with the inmates on  
10 Hunger Strike. Based on the safety, security, and orderly running of the facility, the Western  
11 Regional Office was notified, and it concurred that inmate R.F. should be transitioned to  
12 temporary segregation (Tran-seg) to Metropolitan Detention Center, Los Angeles on February 6,  
13 2024, where she would remain pending the outcome of this investigation.
- 14 17. The hunger strike officially concluded by the afternoon of February 6, 2024, as all nine inmates  
15 had resumed eating again. The SIS investigation concluded that there was no common purpose  
16 among the inmates who participated in the hunger strikes.
- 17 18. BOP staff did not initially place R.F. in SHU for her possession of two-inch screws. BOP never  
18 communicated with R.F. that her SHU placement had anything to do with possessing two-inch  
19 screws.
- 20 19. On February 14, 2024, FCI Dublin received an unannounced judicial visit from Judge Yvonne  
21 Gonzalez-Rogers. Upon conclusion of the visit, Judge Gonzalez-Rogers notified BOP of  
22 violating the Court Order not to transfer any inmates involved in the Evidentiary Hearing.  
23 Within 48 hours of Judge Gonzalez-Rogers' visit, BOP had returned inmate R.F. to FCI Dublin.  
24 As R.F. returned to FCI Dublin, I was awaiting additional facts from the SIS investigation to  
25 determine whether inmate R.F. had assisted other inmates to file false PREA claims and how to  
26 move forward with inmate R.F.'s placement recommendation.
- 27 20. Since inmate C.B.'s PREA allegation raised possible criminal charges, BOP staff sought  
28 approval from the Office of the Inspector General (OIG) to investigate inmate C.B. OIG did not

1 grant approval for SIS to interview inmate C.B. SIS staff were awaiting further instruction to  
2 avoid impeding a criminal investigation.

- 3 21. Since the January 31, 2024, memorandum from staff psychology constituted the only official  
4 justification for inmate R.F.'s placement in SHU, BOP legal determined that inmate R.F.'s  
5 continued placement in SHU was not warranted.
- 6 22. On February 16, 2024, FCI Dublin psychology staff treated inmate C.B. in response to her  
7 request for follow-up services since her initial PREA allegation. Her encounter notes discussed  
8 how other inmates referred inmate C.B. to inmate R.F. for assistance with C.B.'s compassionate  
9 release. C.B. admitted that inmate R.F. signed onto C.B.'s account in the Education Department  
10 and typed an email on inmate C.B.'s behalf with the subject "Compassionate Release," dated  
11 January 27, 2024, addressed to the Warden. Inmate C.B. stated Ms. R.F. submitted the email,  
12 without inmate C.B.'s knowledge of all its contents. Inmate C.B. claimed inmate R.F. pressured  
13 her and rushed her through the drafting process. Inmate C.B. also reported inmate R.F.  
14 demanded \$1,500 in payment to complete her paperwork. R.F. instructed C.B. to contact a  
15 friend in the community to send the money through a friend in the community who would then  
16 send it to R.F.
- 17 23. On the evening of February 16, 2024, inmate R.F. returned to FCI Dublin and to General  
18 Population. Health Services reported to me that inmate R.F. acted uncooperatively during the  
19 intake screening process and refused to be medically assessed.
- 20 24. On February 21, 2024, while standing mainline during the afternoon meal, I observed inmate  
21 R.F. attempt to cut in front of approximately 40 other inmates waiting in line to eat. R.F.  
22 confidently walked past staff and other inmates waiting in line. I gave R.F. a direct order to go  
23 to the end of the line and not cut in front of others. R.F. then exclaimed, "they called me in  
24 there!" I advised R.F. that no one advised no one called her into Food Service and go to the back  
25 of the line. R.F. began to yell into the crowd of inmates waiting in front of her, "Look how he  
26 just singled me out, this is what I'm taking about!" Since inmate R.F. obeyed my instruction so  
27 no further explanation was necessary.
- 28

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed this 23rd day of February 2024 at Dublin, California.



PATRICK DEVANEY  
Associate Warden/ PREA Compliance Manager  
Federal Correctional Institution, Dublin, CA